

TUESDAY, SEPTEMBER 25, 2001

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON www.ci.fresno.ca.us. THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

8:30 A.M. JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Roll Call

Invocation by Der Haye Aivazian, St. Paul Armenian Church

Pledge of Allegiance to the Flag

8:30 A.M.

JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve Redevelopment Agency minutes of September 18, 2001

Action Taken:

- A. Consideration of a Program Final Environmental Impact Report (EIR) No. 2000-01, for the Convention Center Redevelopment Project Area - downtown prestige mixed use development; and a Mitigated Negative Declaration for Conditional Use Permit (CUP) No. C-01-145, relating to the development of a 400-room Wyndham Hotel located at the 800-808 "M" Street and a parking garage on the west side of "O" Street between Inyo and Ventura Streets behind the Convention Center complex, all within the Urban Renewal Plans for the Mariposa and Convention Center Redevelopment Project Areas (*Continue to October 2, 2001, @ 8:30 a.m.*)

Action Taken:

1. **RESOLUTION** - Certifying Program Final Environmental Impact Report (EIR) No. 2000-01, with attachments (*Council and Agency action*)(*Continue to October 2, 2001, @ 8:30 a.m.*)
 - a. Statement and findings of potential adverse environmental effects and mitigation
 - b. Statement and findings of unavoidable adverse effects
 - c. Findings on project alternatives
 - d. Statement of overriding considerations that the project benefits outweigh the unavoidable adverse effects
 - e. Mitigation monitoring checklist

Action Taken:

2. **RESOLUTION** - Finding that the proposed Algen Project will not result in the generation of any significant adverse impact and resulting in adopting a Mitigated Negative Declaration for Conditional Use Permit (CUP) No. C-01-145 (*Council action*) (*Continue to October 2, 2001, @ 8:30 a.m.*)

Action Taken:

- B. **JOINT RESOLUTION** - Approving reimbursement agreements between the City of Fresno and the Redevelopment Agency, pursuant to Section 33445 of the Community Redevelopment Law, authorizing Agency to reimburse costs for installing public improvements within and outside the Airport Area Revitalization, Southeast Fresno Revitalization, South Fresno Industrial Revitalization, and Southwest Fresno G.N.R.A. Redevelopment project areas, relating to the Peach Avenue, Kings Canyon Road, North Avenue, Jensen Avenue and Elm Avenue improvements

Action Taken:

- C. Consideration for approval of a memorandum of understanding to enter into a conveyance agreement between the City and the California Department of General Services pertaining to the proposed new Fifth Appellate District Courthouse project on a City owned site on the northerly side of Tulare Street between "N" and "O" Streets in downtown Fresno

Action Taken:

ADJOURN AGENCY

COUNCIL ACTION ON UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve City Council minutes of September 18, 2001

Action Taken:

Approve Joint Powers Financing Authority minutes of September 18, 2001 (Council President Perea and Councilmember Duncan only)

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

9:30 A.M. Appearance by Mark Keppler regarding proposed Master Travel Plan

Action Taken:

9:45 A.M. * RESOLUTION - Authorizing payment of salary difference benefit to city employees who have been activated as a result of the Operation Infinite Justice - Council President Perea

Action Taken:

10:00 A.M. HEARING on Community Facility District No. 2, and Annexation No. 29 (Tracts Nos. 4493, 4743, 4961, 4979 and 5006)

Action Taken:

a. RESOLUTION - Annexing territory to Community Facilities District No. 2, Annexation No. 29 and authorizing the levy of a special tax

Action Taken:

b. RESOLUTION - Calling a special mailed-ballot election

Action Taken:

c. RESOLUTION - Declaring election results

Action Taken:

d. * BILL - Levying a special tax for the property tax year 2001-2002 and future tax years within and relating to Community Facilities District No. 2, Annexation No. 29

Action Taken:

10:15 A.M. HEARING to consider a resolution of public use and necessity for acquisition of land along the north side of West Herndon Avenue east of North Marks Avenue

a. * RESOLUTION - that the public interest and necessity require the acquisition of an easement for street purposes for the construction of street and drainage improvements, landscaping, and trail facilities

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:30 A.M. Report on consolidation of City services relating to street tree maintenance program
Action Taken:

10:45 A.M. Approval of Social Services Funding
Action Taken:

11:00 A.M. **CONTESTED CONSENT CALENDAR**

2:00 P.M. **CLOSED SESSION**

JOINT CLOSED SESSION WITH THE REDEVELOPMENT AGENCY

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

- Property:** BNSF Depot Building, BNSF Freight Office (AMTRAK Station), and three parcels of BNSF land east of the BNSF tracks at Tulare Avenue
City Negotiators: Andrew T. Souza, Mark Williamson, Carl Kassabian, Darryl Balch, Robert English, Dan Fitzpatrick, Executive Director of the Agency
Negotiating Parties: Burlington Northern and Santa Fe Railroad
Under Negotiation: Instructions to negotiators will concern both price and terms of payment
Action Taken:

- B. Case Name:** Unspecified: one case (disclosure of title would adversely affect settlement negotiations)
Action Taken:

REGULAR CLOSED SESSION

A. CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6

City Negotiator(s): Andrew T. Souza, Severo Esquivel and Jorge Aguiniga,
Employee Organization(s):

- International Union of Operating Engineers, Stationary Engineers Local 39 (Local 39)
- International Brotherhood of Electrical Workers Local 100 (IBEW)

Action Taken:

B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code Section 54957

Title: City Attorney

Action Taken:

C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)

- Case Name:** City of Fresno v. City of Clovis, et al.
- Case Name:** City of Fresno v. Garfield Park Highlands, L.P., PR Farms, et al (Sugar Pine Trail)
- Case Name:** Scott Ellis Enterprises, et al. v. City of Fresno, et al
- Case Name:** Vicki Westburg v. City of Fresno
Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

2:00 P.M. **CLOSED SESSION CONTINUED**

D. CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION - Government Code Section 54956.9, subdivision (c)

Significant Exposure of Litigation:

1. Case Name: City v. City of Clovis, LAFCO and County of Fresno

Action Taken:

5:30 P.M. HEARING to consider Text Amendment relating to auto sales (*continue to October 30, 2001, @ 5:30 P.M.*)

Action Taken:

GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 11:00 A.M.)

1A-1. DEPT. OF ADMINISTRATIVE SERVICES

a. Award a requirements contract for ornamental streetlight poles and capitols (Public Works)

Action Taken:

b. Award a requirements contract for traffic signal cabinets and ancillary devices (Public Works)

Action Taken:

c. Award a requirements contract for reflective sheeting traffic and street name signs (Public Works)

Action Taken:

d. Award a contract for purchase of risk claims computer information system

Action Taken:

e. ITEM REMOVED FROM AGENDA

Action Taken:

f. Award a contract for the installation of a traffic signal at Chestnut and George McLain

Action Taken:

1A-2. CITY ATTORNEY

1A-4. CITY COUNCIL/MAYOR'S OFFICE

a. * RESOLUTION - Approve 16th amendment to AAR No. 2001-200 appropriating \$12,700 in CDBG funds to partially fund installation of outdoor lighting for Fresno High School's football and track field-Councilmember Boyajian (*Requires five affirmative votes*)

Action Taken:

GENERAL CONSENT CALENDAR CONTINUED

1A-5. CITY MANAGER

1A-6. CONVENTION CENTER

1A-7. DEVELOPMENT DEPARTMENT

- a. Consideration of proposed Willow-Perrin No. 3 Reorganization consisting of approximately 36 acres proposed for detachment from the Fresno County Fire Protection District and the Kings River Conservation District and annexation of the same territory to the City of Fresno
 - 1. **RESOLUTION** - Applying to the Fresno Local Agency Formation Commission (LAFCO) in the matter of the proposed Willow-Perrin No. 3 Reorganization
Action Taken:

1A-8. FIRE DEPARTMENT

1A-9. DEPARTMENT OF HOUSING AND NEIGHBORHOOD REVITALIZATION

1A-10 PARKS, RECREATION AND COMMUNITY SERVICES

- a. * **RESOLUTION** - 18th amendment to the AAR No. 2001-200 appropriating \$128,600 for grant funded improvements to children's area at Holmes Playground (*Requires five affirmative votes*)
Action Taken:

1A-11 POLICE DEPARTMENT

- a. * **RESOLUTION** - 23rd amendment to AAR No. 2001-200 to transfer \$133,000 of contingency funds to cover the cost of post training (*Requires five affirmative votes*)
Action Taken:

1A-12 PUBLIC UTILITIES DEPARTMENT

1A-13 PUBLIC WORKS DEPARTMENT

- a. Approve acquisition of property at Maple and Illinois for pump station 19B
Action Taken:

1A-14 RETIREMENT OFFICE

1A-15 TRANSPORTATION DEPARTMENT

1B. CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS

1. **BILL** - amend Section 2-1701, 2-1725, 2-1730, 2-1732, 2-1744, 2-1723A, 2-1725A, 2-1730A, 2-1732A, and 2-1744A of the Fresno Municipal Code relating to disability retirement in the Fire and Police retirement system

Action Taken:

2. **BILL** - amend Section 2-1801 and 2-1838 of the Fresno Municipal Code, relating to disability retirement benefits in the employees retirement system

Action Taken:

2. PLANNING AND ZONING ADMINISTRATION

- A. Approval of City allocation/2001 Fresno County Regional Housing Needs Allocation Plan

Action Taken:

3. GENERAL ADMINISTRATION

4. CITY ATTORNEY

5. CITY COUNCIL

- A. Council appointment to the Health and Welfare Trust - Council President Perea

Action Taken:

- B. Consider amendments to the Fresno City Employees Health and Welfare Trust relating to appointments by the City and arbitration procedures - Councilmember Quintero

Action Taken:

- C. **RESOLUTION** - Declaring third floor Mezzanine of City Hall as General George Washington Gallery - Councilmember Duncan

- D. Request City Manager to investigate the possibility of increasing City user fees - Councilmember Boyajian

6. CITY/COUNTY INTERGOVERNMENTAL RELATIONS

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

- Oct. 2 - 8:30 A.M. **JT MEETING WITH RDA - CONTINUED HEARING** - Certification of Final Environmental Impact Report (EIR) No. 2000-01, for the Convention Center Redevelopment Project Area (Approx. 1 hour)
- Oct. 2 - 10:00 A.M. **HEARING** re: PA. No. A-01-010, Rezone Appl. No. R-01-013, filed by Thanh Cao
- Oct. 2 - 10:15 A.M. **HEARING** re: PA. No. A-01-18, R-01-24, filed by Seecon Partners
- Oct. 2 - 10:30 A.M. Report on request to the Council of Fresno County Governments (COG) to study the feasibility of an on ramp and off ramp on State Route 41 to service the Woodward Bluffs Mobilehome Park - Councilmember Duncan
- Oct. 2 - 10:45 A.M. **HEARING** re: Rezone Appl. No. R-01-30, filed by Triple B Development
- Oct. 2 - 11:00 A.M. **CONTINUED HEARING** regarding the formation of Community Facilities District No. 5 (Foundry Park)
- Oct. 2 - 3:00 P.M. HUD Workshop (Housing)(1-2 hours) - Councilmember Boyajian
- Oct. 9 - 9:30 A.M. Presentation by the City of Clovis regarding Quad Design intersection
- Oct. 9 - 9:45 A.M.
- Oct. 9 - 10:00 A.M. **HEARING** re: vacation of E-99 alley, between Tulare & Kern, RI 1024-D
- Oct. 9 - 3:00 P.M. Jt. Presentation by SJVA Pollution Control District and COG re: potential sanctions due to severe air quality
- Oct. 16 - 9:00 A.M. Presentation of P.R.I.D.E. Team Certificates for Fall Quarter (*Reception immediately following, 2nd floor foyer*)
- Oct. 16 - 10:15 A.P. **HEARING** re: P.A. No. A-01-019 filed by Michael Paoli (on behalf of) State Center Community College District - Development Dept.
- Oct. 16 - 5:30 P.M. Adoption of Bill No. B-68 regarding to Text Amendment No. TA-00-02 relating to group housing facilities
- Oct. 23 - NO MEETING
- Oct. 30 - 10:00 A.M. Presentation of Employee Service Awards (*Reception immediately following, 2nd floor foyer*)
- Oct. 30 - 11:00 A.M. **HEARING** re: Annexation No. 30, Community Facilities District No. 2
- Oct. 30 - 11:15 A.M. **CONTINUED HEARING** re: C.U.P. C-01-058
- Oct. 30 - 5:30 P.M. **CONTINUED HEARING** to consider Text Amendment relating to auto sales
- NOV. 13 NO MEETING - VETERANS WEEK